

LAMPREY WILD AND SCENIC RIVER EXTENSION ACT

OCTOBER 7, 1999.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 1615]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1615) to amend the Wild and Scenic Rivers Act to extend the designation of a portion of the Lamprey River in New Hampshire as a recreational river to include an additional river segment, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 1615 is to amend the Wild and Scenic Rivers Act to extend the designation of a portion of the Lamprey River in New Hampshire as a recreational river to include an additional river segment.

BACKGROUND AND NEED FOR LEGISLATION

This bill amends the Wild and Scenic Rivers Act to extend the Wild and Scenic River designation to a 12-mile river segment of the Lamprey River running through the Town of Epping, New Hampshire. This new addition would be designated as a “recreational” river in accordance with the Wild and Scenic Rivers Act.

As part of the Omnibus Parks and Public Lands Management Act of 1996 (Section 405) an 11.5-mile segment of the Lamprey River was designated as a recreational river in accordance with the Wild and Scenic Rivers Act. The study done for that designation (June 1995) found that not only did the 11.5-mile segment qualify as a recreational river, but also a 12-mile segment upstream which flows through the Town of Epping, New Hampshire. At the time of

the designation of the 11.5-mile segment, however, there was little local support for the designation. The Town of Epping has since voted in support of the designation (March 1999) and other locally-based support also has been shown.

COMMITTEE ACTION

H.R. 1615 was introduced on April 28, 1999, by Congressman John Sununu (R-NH). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks and Public Lands. On July 20, 1999, the Subcommittee held a hearing on the bill where the Administration testified in favor of the bill. On August 5, 1999, the Subcommittee met to consider the bill. No amendments were offered and the bill was ordered favorably reported to the Full Committee by voice vote. On September 22, 1999, the Full Committee met to consider the bill. No amendments were offered and the bill was then ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. Government Reform Oversight Findings. Under clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on this bill.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 5, 1999.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1615, the Lamprey Wild and Scenic River Extension Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Victoria Heid Hall (for federal costs), and Marjorie Miller (for the state and local impact).

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 1615—Lamprey Wild and Scenic River Extension Act

H.R. 1615 would designate an additional 12-mile segment of the Lamprey River in New Hampshire as a National Recreational River. The segment would be managed by the Department of the Interior's National Park Service (NPS). Based on information from the NPS, CBO estimates that managing the additional river segment would cost less than \$100,000 a year, assuming appropriation of the necessary amount. Because enacting H.R. 1615 would not affect direct spending or receipts, pay-as-you-go procedures would not apply.

H.R. 1615 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act. State and local governments might incur some costs as a result of the bill's enactment, but any such costs would be voluntary.

The CBO staff contacts are Victoria Heid Hall (for federal costs), and Marjorie Miller (for the state and local impact). This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL, AND TRIBAL LAW

This bill is not intended to preempt any State, local, or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 3 OF THE WILD AND SCENIC RIVERS ACT

SEC. 3. (a) The following rivers and the land adjacent thereto are hereby designated as components of the national wild and scenic rivers system:

(1) * * *

* * * * *

(158) LAMPREY RIVER, NEW HAMPSHIRE.—The ~~11.5-mile segment extending from the southern Lee town line~~ *23.5-mile segment extending from the Bunker Pond Dam in Epping* to the confluence with the Piscassic River in the vicinity of the Durham-Newmarket town line (hereinafter in this paragraph referred to as the “segment”) as a recreational river. The segment shall be administered by the Secretary of the Interior through cooperation agreements between the Secretary and the State of New Hampshire and its relevant political subdivisions, namely the ~~towns of~~ *towns of Epping, Durham, Lee, and Newmarket,* pursuant to section 10(e) of this Act. The segment shall be managed in accordance with the Lamprey River Management Plan dated January 10, 1995, and such amendments thereto as the Secretary of the Interior determines are consistent with this Act. Such plan shall be deemed to satisfy the requirements for a comprehensive management plan pursuant to section 3(d) of this Act.

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SECTION 405 OF THE OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996

SEC. 405. LAMPREY WILD AND SCENIC RIVER.

(a) * * *

(b) MANAGEMENT.—

(1) * * *

(2) LAND MANAGEMENT.—The zoning ordinances duly adopted by the towns of *Epping, Durham, Lee, and Newmarket,* New Hampshire, including provisions for conservation of shorelands, floodplains, and wetlands associated with the segment, shall be deemed to satisfy the standards and requirements of section 6(c) of the Wild and Scenic Rivers Act, and the provisions of that section, which prohibit Federal acquisition of lands by condemnation, shall apply to the segment designated by subsection (a). The authority of the Secretary to acquire lands for the purposes of this paragraph shall be limited to acquisition by donation or acquisition with the consent of the owner thereof, and shall be subject to the additional criteria set forth in the Lamprey River Management Plan.

[(c) UPSTREAM SEGMENT.—Upon request by the town of Epping, which abuts an additional 12 miles of river found eligible for designation as a recreational river, the Secretary of the Interior shall offer assistance regarding continued involvement of the town of Epping in the implementation of the Lamprey River Management Plan and in consideration of potential future addition of that por-

tion of the river within Epping as a component of the Wild and Scenic Rivers System.】

